

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anderson et al.

Docket No.: BUR920040113US1

Serial No.: 10/711,399

Art Unit: 2818

Filed: September 16, 2004

Examiner: Chuong A. Luu

Title: METHOD OF FABRICATING MICRO-CHIPS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents & Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants believe the Examiner inadvertently indicated Group I included claims 1-32 and Group II included claims 33-37, when the Examiner meant to indicate Group I includes claims 1-14 and Group II includes claims 15-20, as Applicants note the Office Action Summary page indicates only 20 claims are pending.

In response to the Restriction Requirement mailed on August 2, 2006, Applicant hereby provisionally elects Group I, claims 1-14, drawn to a method of manufacturing a semiconductor device, classified in class 438, subclass 197. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 257, drawn to a semiconductor device, classified in class 257, subclass 499.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is

stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

Should the Examiner require or request anything further from Applicant's prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the Agent Direct Dial telephone number below. Otherwise, Applicants request early and favorable examination on the merits

Respectfully submitted,
FOR: Anderson et al.

Dated: 08/08/2006

BY: Jack P. Friedman
Jack P. Friedman
Reg. No. 44,688
FOR:
Anthony M. Palagonia
Registration No.: 41,237

Schmeiser, Olsen & Watts
22 Century Hill Drive, Suite 302
Latham, New York 12110
(518) 220-1850
(518) 220-1857 Facsimile
Agent Direct Dial Number: (802)-899-5460